



Reprinted
March 30, 2005

ENGROSSED SENATE BILL No. 200

DIGEST OF SB 200 (Updated March 29, 2005 5:33 pm - DI 71)

Citations Affected: IC 20-10.1; IC 20-12; IC 20-32; noncode.

Synopsis: Core 40 curriculum. Beginning with the 2010-2011 school year, requires, with certain exceptions, a student to complete the Core 40 curriculum in order to graduate from high school. Beginning with the 2011-2012 academic year, requires, with certain exceptions, a student to have completed the Core 40 curriculum to be admitted to a four-year degree program in a state educational institution. Makes transitional provisions maintaining the current standards until the new standards take effect.

Effective: July 1, 2005.

Lubbers, Rogers

(HOUSE SPONSORS — BEHNING, PORTER, FRY)

January 4, 2005, read first time and referred to Committee on Education and Career Development.

February 24, 2005, amended, reported favorably — Do Pass.

February 28, 2005, read second time, amended, ordered engrossed; pursuant to Senate Rule 33(c) Technical Corrections.

March 1, 2005, engrossed. Read third time, passed. Yeas 33, nays 14.

HOUSE ACTION

March 10, 2005, read first time and referred to Committee on Education.

March 24, 2005, amended, reported — Do Pass.

March 29, 2005, read second time, amended, ordered engrossed.

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ES 200—LS 7007/DI 71+



First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 200

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-10.1-16-13 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 13. (a) ~~Beginning with~~
3 ~~the class of students who expect to graduate during the 1999-2000~~
4 ~~school year, Except as provided in subsection (b), each student is~~
5 ~~required to meet:~~
6 (1) the academic standards tested in the graduation examination;
7 and
8 (2) any additional requirements established by the governing
9 body;
10 to be eligible to graduate.
11 (b) ~~Except as provided in subsections (d), (e), (f), (g), (h), and (i),~~
12 ~~beginning with the class of students who expect to graduate during~~
13 ~~the 2010-2011 school year, each student is required to meet:~~
14 (1) the academic standards tested in the graduation
15 examination;
16 (2) the Core 40 course and credit requirements adopted by the
17 board under IC 20-10.1-5.7; and

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(3) any additional requirements established by the governing body;
to be eligible to graduate.

~~(b)~~ (c) A student who does not meet the academic standards tested in the graduation examination shall be given the opportunity to be tested during each semester of each grade following the grade in which the student is initially tested until the student achieves a passing score.

~~(c)~~ A student who does not achieve a passing score on the graduation examination may be eligible to graduate if all of the following occur:

(1) The principal of the school the student attends certifies that the student will within one (1) month of the student's scheduled graduation date successfully complete all components of the Core 40 curriculum as established by the board under IC 20-10.1-5.7-1.

(2) The student otherwise satisfies all state and local graduation requirements.

(d) A student who does not achieve a passing score on the graduation examination and who does not meet the requirements of subsection ~~(e)~~ (b) may be eligible to graduate if the student does all of the following:

(1) Takes the graduation examination in each subject area in which the student did not achieve a passing score at least one (1) time every school year after the school year in which the student first takes the graduation examination.

(2) Completes remediation opportunities provided to the student by the student's school.

(3) Maintains a school attendance rate of at least ninety-five percent (95%) with excused absences not counting against the student's attendance.

(4) Maintains at least a "C" average or the equivalent in the courses comprising the credits specifically required for graduation by rule of the board.

(5) Obtains a written recommendation from a teacher of the student in each subject area in which the student has not achieved a passing score. The recommendation must:

(A) be concurred in by the principal of the student's school; and

(B) be supported by documentation that the student has attained the academic standard in the subject area based upon:

(i) tests other than the graduation examination; or

(ii) classroom work.

~~(6)~~ (5) Otherwise satisfies all state and local graduation

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requirements.

(6) Either:

(A) completes:

- (i) the course and credit requirements for a general diploma, including the career academic sequence;**
- (ii) a workforce readiness assessment; and**
- (iii) at least one (1) career exploration internship, cooperative education, or workforce credential recommended by the student's school; or**

(B) obtains a written recommendation from a teacher of the student in each subject area in which the student has not achieved a passing score on the graduation examination. The written recommendation must be concurred in by the principal of the student's school and be supported by documentation that the student has attained the academic standard in the subject area based upon:

- (i) tests other than the graduation examination; or**
- (ii) classroom work.**

(e) This subsection applies to a student who is a child with a disability (as defined in IC 20-1-6-1). If the student does not achieve a passing score on the graduation examination, the student's case conference committee may determine that the student is eligible to graduate if the case conference committee finds the following:

(1) The student's teacher of record, in consultation with a teacher of the student in each subject area in which the student has not achieved a passing score, makes a written recommendation to the case conference committee. The recommendation must:

- (A) be concurred in by the principal of the student's school; and
- (B) be supported by documentation that the student has attained the academic standard in the subject area based upon:
 - (i) tests other than the graduation examination; or
 - (ii) classroom work.

(2) The student meets all of the following requirements:

- (A) Retakes the graduation examination in each subject area in which the student did not achieve a passing score as often as required by the student's individualized education program.
- (B) Completes remediation opportunities provided to the student by the student's school to the extent required by the student's individualized education program.
- (C) Maintains a school attendance rate of at least ninety-five percent (95%) to the extent required by the student's

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individualized education program with excused absences not counting against the student's attendance.

(D) Maintains at least a "C" average or the equivalent in the courses comprising the credits specifically required for graduation by rule of the board.

(E) Otherwise satisfies all state and local graduation requirements.

(f) Upon the request of a student's parent, the student may be exempted from the Core 40 curriculum requirement set forth in subsection (b) and required to complete the general curriculum to be eligible to graduate. Except as provided in subsection (j), the student's parent and the student's counselor (or another staff member who assists students in course selection) shall meet to discuss the student's progress. Following the meeting, the student's parent shall determine whether the student will achieve greater educational benefits by:

- (1) continuing the general curriculum; or
- (2) completing the Core 40 curriculum.

(g) This subsection applies to a student who does not pass at least three (3) courses required under the Core 40 curriculum. Except as provided in subsection (j), the student's parent and the student's counselor (or another staff member who assists students in course selection) shall meet to discuss the student's progress. Following the meeting, the student's parent shall determine whether the student will achieve greater educational benefits by:

- (1) continuing in the Core 40 curriculum; or
- (2) completing the general curriculum.

(h) This subsection applies to a student who receives a score on the graduation examination that is in the twenty-fifth percentile or lower when the student takes the graduation examination for the first time. Except as provided in subsection (j), the student's parent and the student's counselor (or another staff member who assists students in course selection) shall meet to discuss the student's progress. Following the meeting, the student's parent shall determine whether the student will achieve greater educational benefits by:

- (1) continuing in the Core 40 curriculum; or
- (2) completing the general curriculum.

(i) A decision with regard to whether a student who is a child with a disability (as defined in IC 20-1-6-1) is subject to the requirements of subsection (b)(2) shall be made in accordance with the student's individualized education program and federal law.

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(j) This subsection applies if the parent of a student to whom subsection (g) or (h) applies does not attend a meeting with the student and the student's counselor after receiving two (2) written requests to attend a meeting. If the student's parent does not attend a meeting described in subsection (g) or (h), the student and the student's counselor shall meet and:

(1) the student's counselor shall make a recommendation to the student as to whether the student will achieve greater educational benefits by:

(A) continuing in the Core 40 curriculum; or

(B) completing the general curriculum; and

(2) the student shall determine which curriculum the student will complete.

SECTION 2. IC 20-12-17.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]:

Chapter 17.5. Admission Requirements for State Educational Institutions

Sec. 1. (a) This chapter applies beginning with the class of students who enter a state educational institution as freshmen during the 2011-2012 academic year.

(b) As used in this chapter, "state educational institution" has the meaning set forth in IC 20-12-0.5-1.

Sec. 2. (a) This section does not apply to:

(1) Ivy Tech State College; and

(2) Vincennes University with respect to two-year degree programs.

(b) Except as provided in sections 5 and 6 of this chapter, each state educational institution must require a student who is an Indiana resident to have completed either:

(1) the Core 40 curriculum established under IC 20-30-10; or

(2) a curriculum that is equivalent to the Core 40 curriculum; as a general requirement for regular admission as a freshman to the state educational institution.

(c) Each state educational institution must establish the institution's:

(1) requirements for regular admission; and

(2) exceptions to the institution's requirements for regular admission.

Sec. 3. (a) This section applies to:

(1) Ivy Tech State College; and

(2) Vincennes University with respect to two-year degree

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programs.

(b) A student who enters a state educational institution to which this section applies to obtain a two-year degree is not required to have completed either:

(1) the Core 40 curriculum established under IC 20-30-10; or

(2) a curriculum that is equivalent to the Core 40 curriculum; to be admitted to the state educational institution.

Sec. 4. The commission for higher education created under IC 20-12-0.5-2 shall encourage accredited private institutions of higher education to adopt general regular admissions requirements and exceptions to the regular admissions requirements that are similar to the requirements set forth in section 2 of this chapter.

Sec. 5. (a) This section applies to a student who has not completed:

(1) the Core 40 curriculum established under IC 20-30-10; or

(2) a curriculum that is equivalent to the Core 40 curriculum.

(b) A student to whom this section applies may apply for acceptance as a transfer student at a state educational institution to which section 2 of this chapter applies if the student has successfully completed at least twelve (12) credit hours of college level courses with at least a "C" average or the equivalent in each course.

Sec. 6. The requirement set forth in section 2(b) of this chapter that a student must complete the Core 40 curriculum or a curriculum equivalent to the Core 40 curriculum for regular admission does not apply to a student who will be at least twenty-one (21) years of age during the semester for which the student seeks admission.

SECTION 3. IC 20-32-4-1, AS ADDED BY HEA 1288-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) Except as provided in subsection (b), a student must meet:

(1) the academic standards tested in the graduation examination; and

(2) any additional requirements established by the governing body of the student's school corporation; to be eligible to graduate.

(b) Except as provided in sections 4, 5, 6, 7, 8, 9, and 10 of this chapter, beginning with the class of students who expect to graduate during the 2010-2011 school year, each student is required to meet:

(1) the academic standards tested in the graduation

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examination;

(2) the Core 40 course and credit requirements adopted by the state board under IC 20-30-10; and

(3) any additional requirements established by the governing body;

to be eligible to graduate.

SECTION 4. IC 20-32-4-4, AS ADDED BY HEA 1288-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. A student who does not achieve a passing score on the graduation examination and who does not meet the requirements of section 3-1 of this chapter may be eligible to graduate if the student does all the following:

(1) Takes the graduation examination in each subject area in which the student did not achieve a passing score at least one (1) time every school year after the school year in which the student first takes the graduation examination.

(2) Completes remediation opportunities provided to the student by the student's school.

(3) Maintains a school attendance rate of at least ninety-five percent (95%) with excused absences not counting against the student's attendance.

(4) Maintains at least a "C" average or the equivalent in the courses comprising the credits specifically required for graduation by rule of the state board.

(5) Obtains a written recommendation from a teacher of the student in each subject area in which the student has not achieved a passing score. The recommendation must:

(A) be concurred in by the principal of the student's school; and

(B) be supported by documentation that the student has attained the academic standard in the subject area based on:

(i) tests other than the graduation examination; or

(ii) classroom work.

(6) (5) Otherwise satisfies all state and local graduation requirements.

(6) Either:

(A) completes:

(i) the course and credit requirements for a general diploma, including the career academic sequence;

(ii) a workforce readiness assessment; and

(iii) at least one (1) career exploration internship, cooperative education, or workforce credential

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recommended by the student's school; or
 (B) obtains a written recommendation from a teacher of the student in each subject area in which the student has not achieved a passing score on the graduation examination. The written recommendation must be concurred in by the principal of the student's school and be supported by documentation that the student has attained the academic standard in the subject area based on:

- (i) tests other than the graduation examination; or
- (ii) classroom work.

SECTION 5. IC 20-32-4-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 6. A decision with regard to whether a student who is a child with a disability (as defined in IC 20-35-1-2) is subject to the requirements of section 1(b)(2) of this chapter shall be made in accordance with the student's individualized education program and federal law.**

SECTION 6. IC 20-32-4-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 7. Upon the request of a student's parent, the student may be exempted from the Core 40 curriculum requirement set forth in section 1 of this chapter and be required to complete the general curriculum to be eligible to graduate. Except as provided in section 10 of this chapter, the student's parent and the student's counselor (or another staff member who assists students in course selection) shall meet to discuss the student's progress. Following the meeting, the student's parent shall determine whether the student will achieve greater educational benefits by:**

- (1) continuing the general curriculum; or
- (2) completing the Core 40 curriculum.

SECTION 7. IC 20-32-4-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 8. This section applies to a student who does not pass at least three (3) courses required under the Core 40 curriculum. Except as provided in section 10 of this chapter, the student's parent and the student's counselor (or another staff member who assists students in course selection) shall meet to discuss the student's progress. Following the meeting, the student's parent shall determine whether the student will achieve greater educational benefits by:**

- (1) continuing in the Core 40 curriculum; or
- (2) completing the general curriculum.

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SECTION 8. IC 20-32-4-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 9. This section applies to a student who receives a score on the graduation examination that is in the tenth percentile or lower when the student takes the graduation examination for the first time. Except as provided in section 10 of this chapter, the student's parent and the student's counselor (or another staff member who assists students in course selection) shall meet to discuss the student's progress. Following the meeting, the student's parent shall determine whether the student will achieve greater educational benefits by:**

- (1) continuing in the Core 40 curriculum; or**
- (2) completing the general curriculum.**

SECTION 9. IC 20-32-4-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 10. This section applies if the parent of a student to whom section 8 or 9 of this chapter applies does not attend a meeting with the student and the student's counselor after receiving two (2) written requests to attend a meeting. If the student's parent does not attend a meeting described in section 8 or 9 of this chapter, the student and the student's counselor shall meet and:**

- (1) the student's counselor shall make a recommendation to the student as to whether the student will achieve greater educational benefits by:**
 - (A) continuing in the Core 40 curriculum; or**
 - (B) completing the general curriculum; and**
- (2) the student shall determine which curriculum the student will complete.**

SECTION 10. IC 20-32-4-3 IS REPEALED [EFFECTIVE JULY 1, 2005].

SECTION 11. [EFFECTIVE JULY 1, 2005] **Notwithstanding IC 20-32-4-1, as amended by this act, before July 1, 2010, the following apply:**

- (1) To be eligible to graduate from high school, each student is required to meet:**
 - (A) the academic standards tested in the graduation examination (as defined in IC 20-18-2-6); and**
 - (B) any additional requirements established by the governing body (as defined in IC 20-18-2-5).**
- (2) A student who does not meet the academic standards tested in the graduation examination shall be given the**

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opportunity to be tested during each semester of each grade following the grade in which the student is initially tested until the student achieves a passing score.

(3) A student who does not achieve a passing score on the graduation examination may be eligible to graduate if all the following occur:

(A) The principal of the school the student attends certifies that the student will within one (1) month of the student's scheduled graduation date successfully complete all components of the Core 40 curriculum as established by the Indiana state board of education under IC 20-30-10.

(B) The student otherwise satisfies all state and local graduation requirements.

(4) A student who does not achieve a passing score on the graduation examination and who does not meet the requirements of subdivision (3) may be eligible to graduate if the student does all the following:

(A) Takes the graduation examination in each subject area in which the student did not achieve a passing score at least one (1) time every school year after the school year in which the student first takes the graduation examination.

(B) Completes remediation opportunities provided to the student by the student's school.

(C) Maintains a school attendance rate of at least ninety-five percent (95%) with excused absences not counting against the student's attendance.

(D) Maintains at least a "C" average or the equivalent in the courses comprising the credits specifically required for graduation by rule of the board.

(E) Obtains a written recommendation from a teacher of the student in each subject area in which the student has not achieved a passing score. The recommendation must:

(i) be concurred in by the principal of the student's school; and

(ii) be supported by documentation that the student has attained the academic standard in the subject area based upon tests other than the graduation examination or classroom work.

(F) Otherwise satisfies all state and local graduation requirements.

(5) This subdivision applies to a student who is a child with a disability (as defined in IC 20-35-1-2). If the student does not

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1 achieve a passing score on the graduation examination, the
 2 student's case conference committee may determine that the
 3 student is eligible to graduate if the case conference
 4 committee finds the following:

5 (A) The student's teacher of record, in consultation with a
 6 teacher of the student in each subject area in which the
 7 student has not achieved a passing score, makes a written
 8 recommendation to the case conference committee. The
 9 recommendation must:

10 (i) be concurred in by the principal of the student's
 11 school; and

12 (ii) be supported by documentation that the student has
 13 attained the academic standard in the subject area based
 14 upon tests other than the graduation examination or
 15 classroom work.

16 (B) The student meets all the following requirements:

17 (i) Retakes the graduation examination in each subject
 18 area in which the student did not achieve a passing score
 19 as often as required by the student's individualized
 20 education program.

21 (ii) Completes remediation opportunities provided to the
 22 student by the student's school to the extent required by
 23 the student's individualized education program.

24 (iii) Maintains a school attendance rate of at least
 25 ninety-five percent (95%) to the extent required by the
 26 student's individualized education program with excused
 27 absences not counting against the student's attendance.

28 (iv) Maintains at least a "C" average or the equivalent in
 29 the courses comprising the credits specifically required
 30 for graduation by rule of the board.

31 (v) Otherwise satisfies all state and local graduation
 32 requirements.

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SENATE MOTION

Madam President: I move that Senator Rogers be added as second author of Senate Bill 200.

LUBBERS

 COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 200, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 11, delete "(g), (h), (i), and (j)," and insert "**(d), (e), (f), (g), (h), and (i),**".

Page 1, line 13, delete "2008-2009" and insert "**2010-2011**".

Page 1, line 16, after "40" insert "**course and credit**".

Page 2, line 8, delete "(d)".

Page 2, line 8, strike "A student who does not achieve a passing score on the".

Page 2, strike lines 9 through 16.

Page 2, line 17, reset in roman "(d)".

Page 2, line 17, delete "(e)".

Page 2, line 19, delete "(d)" and insert "**(b)**".

Page 2, strike lines 33 through 41.

Page 2, line 42, strike "(6)" and insert "**(5)**".

Page 2, after line 42, begin a new line block indented and insert:

"(6) Either:

(A) completes:

(i) the course and credit requirements for a minimum diploma, including the career academic sequence;

(ii) a workforce readiness assessment; and

(iii) at least one (1) career exploration internship, cooperative education, or workforce credential recommended by the student's school; or

(B) obtains a written recommendation from a teacher of the student in each subject area in which the student has not achieved a passing score on the graduation examination. The written recommendation must be concurred in by the principal of the student's school and be supported by documentation that the student has attained

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the academic standard in the subject area based upon:

(i) tests other than the graduation examination; or

(ii) classroom work."

Page 3, line 1, reset in roman "(e)".

Page 3, line 1, delete "(f)".

Page 3, line 32, delete "(g)" and insert "(f)".

Page 3, line 34, delete "general" and insert "**minimum**".

Page 3, line 36, delete "(h)" and insert "(g)".

Page 3, line 37, delete "The" and insert "**Except as provided in subsection (j), the**".

Page 4, line 2, delete "general" and insert "**minimum**".

Page 4, line 3, delete "(i)" and insert "(h)".

Page 4, line 6, delete "The" and insert "**Except as provided in subsection (j), the**".

Page 4, line 12, delete "general" and insert "**minimum**".

Page 4, line 13, delete "(j)" and insert "(i)".

Page 4, after line 16, begin a new paragraph and insert:

"(j) This subsection applies if the parent of a student to whom subsection (g) or (h) applies does not attend a meeting with the student and the student's counselor after receiving two (2) written requests to attend a meeting. If the student's parent does not attend a meeting described in subsection (g) or (h), the student and the student's counselor shall meet and:

(1) the student's counselor shall make a recommendation to the student as to whether the student will achieve greater educational benefits by:

(A) continuing in the Core 40 curriculum; or

(B) completing the minimum curriculum; and

(2) the student shall determine which curriculum the student will complete.

SECTION 2. IC 20-12-17.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]:

Chapter 17.5. Admission Requirements for State Educational Institutions

Sec. 1. (a) This chapter applies beginning with the class of students who enter a state educational institution as freshmen during the 2011-2012 academic year.

(b) As used in this chapter, "state educational institution" has the meaning set forth in IC 20-12-0.5-1.

Sec. 2. (a) This section does not apply to:

(1) Ivy Tech State College; and

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(2) Vincennes University with respect to two-year degree programs.

(b) Except as provided in section 5 of this chapter, each state educational institution must require that a student who is an Indiana resident to have completed either:

(1) the Core 40 curriculum established under IC 20-10.1-5.7;
or

(2) a curriculum that is equivalent to the Core 40 curriculum; as a minimum requirement for regular admission as a freshman to the state educational institution.

(c) Each state educational institution must adopt a policy that sets forth the institution's:

(1) requirements for regular admission; and
(2) exceptions to the institution's requirements for regular admission.

Sec. 3. (a) This section applies to:

(1) Ivy Tech State College; and
(2) Vincennes University with respect to two-year degree programs.

(b) A student who enters a state educational institution to which this section applies to obtain a two-year degree is not required to have completed either:

(1) the Core 40 curriculum established under IC 20-10.1-5.7;
or

(2) a curriculum that is equivalent to the Core 40 curriculum; to be admitted to the state educational institution.

Sec. 4. The commission for higher education created under IC 20-12-0.5-2 shall encourage accredited private institutions of higher education to adopt minimum admissions requirements that are similar to the requirements set forth in section 2 of this chapter.

Sec. 5. (a) This section applies to a student who has not completed:

(1) the Core 40 curriculum established under IC 20-10.1-5.7;
or

(2) a curriculum that is equivalent to the Core 40 curriculum.

(b) A student to whom this section applies may apply for acceptance as a transfer student at a state educational institution to which section 2 of this chapter applies if the student has successfully completed at least twelve (12) credit hours of courses identified under IC 20-12-17.1.

SECTION 3. IC 20-12-21-6 IS AMENDED TO READ AS



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FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. (a) An applicant is eligible for a first year higher education award under this chapter if the student meets the following requirements:

(1) The applicant is a resident of Indiana, as defined by the commission.

(2) **Except as provided in subsections (d), (e), and (f), and beginning with the 2011-2012 academic year,** the applicant:

(A) has successfully completed the ~~program of instruction~~ **Core 40 curriculum established under IC 20-10.1-5.7 or a curriculum that is equivalent to the Core 40 curriculum** at an approved secondary school;

(B) has been granted a:

(i) high school equivalency certificate before July 1, 1995; or

(ii) state of Indiana general educational development (GED) diploma under IC 20-10.1-12.1; or

(C) is a student in good standing at an approved secondary school and is engaged in a program that in due course will be completed by the end of the current academic year.

(3) The financial resources reasonably available to the applicant, as defined by the commission, are such that, in the absence of an award under this chapter, the applicant would be deterred from completing the applicant's education at the approved institution of higher learning that the applicant has selected and that has accepted the applicant. In determining the financial resources reasonably available to an applicant to whom section 5.6 of this chapter applies, the commission must consider the financial resources of the applicant's legal parent.

(4) The applicant will use the award initially at that institution.

(5) If the student is already enrolled in an approved institution of higher learning, the applicant must be a full-time student and be making satisfactory progress, as determined by the commission, toward a first baccalaureate degree.

(6) The student declares, in writing, a specific educational objective or course of study and enrolls in:

(A) courses that apply toward the requirements for completion of that objective or course of study; or

(B) courses designed to help the student develop the basic skills that the student needs to successfully achieve that objective or continue in that course of study.

(b) A higher education award recipient is not eligible for assistance after the recipient has received an award for a total of eight (8)

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semesters or twelve (12) quarters of postsecondary school education.

(c) To maintain eligibility a student is not required to:

- (1) attend an institution of higher learning; or
- (2) receive an award;

in consecutive semesters or quarters. However, a recipient's eligibility for an award does not extend more than ten (10) years after the date that the initial award is granted.

(d) The requirement set forth in subsection (a)(2)(A) that an applicant must complete the Core 40 curriculum or a curriculum equivalent to the Core 40 curriculum applies only to an applicant who seeks to use an award at a state educational institution (as defined in IC 20-12-0.5-1) or an accredited private institution of higher education in a four-year degree program.

(e) An applicant who does not meet the requirement set forth in subsection (a)(2)(A) that an applicant must complete the Core 40 curriculum or a curriculum equivalent to the Core 40 curriculum is eligible for an award if the applicant has successfully completed at least twelve (12) credit hours of courses identified under IC 20-12-17.1.

(f) The requirement set forth in subsection (a)(2)(A) that an applicant must complete the Core 40 curriculum or a curriculum equivalent to the Core 40 curriculum does not apply to an applicant who will be at least twenty-one (21) years of age during the semester for which the applicant seeks an award.

SECTION 4. IC 20-12-70-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. As used in this chapter, "eligible student" means a student who meets the following requirements:

- (1) Is a resident of Indiana.
- (2) Is enrolled in grade 8 at a public or an accredited nonpublic school.
- (3) Is eligible for free or reduced priced lunches under the national school lunch program.
- (4) Agrees in writing, together with the student's custodial parents or guardian, that the student will:
 - (A) graduate from a secondary school located in Indiana that meets the admission criteria of an institution of higher learning;
 - (B) not illegally use controlled substances (as defined in IC 35-48-1-9);
 - (C) not commit a crime or infraction described in IC 9-30-5;
 - (D) not commit any other crime or delinquent act (as described

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in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their repeal));

(E) when the eligible student is a senior in high school, timely apply:

- (i) to an institution of higher learning for admission; and
- (ii) for any federal and state student financial assistance available to the eligible student to attend an institution of higher learning; ~~and~~

(F) achieve a cumulative grade point average upon graduation of at least 2.0 on a 4.0 grading scale (or its equivalent if another grading scale is used) for courses taken during grades 9, 10, 11, and 12; **and**

(G) beginning with the class of students who expect to graduate during the 2010-2011 school year, complete the Core 40 curriculum established under IC 20-10.1-5.7 or a curriculum equivalent to the Core 40 curriculum.

SECTION 5. IC 20-12-70-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. **(a)** As used in this chapter, "scholarship applicant" means a student who meets the following requirements:

- (1) Was an eligible student under section 2 of this chapter.
- (2) Is a resident of Indiana.
- (3) **Except as provided in subsections (b), (c), and (d), and beginning with the class of students who graduate during the 2010-2011 school year, has graduated after completing:**

(A) the Core 40 curriculum established under IC 20-10.1-5.7; or

(B) a curriculum equivalent to the Core 40 curriculum;

from a secondary school located in Indiana that meets the admission criteria of an institution of higher learning.

(4) Has applied to attend and has been accepted to attend an institution of higher learning as a full-time student.

(5) Certifies in writing that the student has:

(A) not illegally used controlled substances (as defined in IC 35-48-1-9);

(B) not illegally consumed alcoholic beverages;

(C) not committed any other crime or a delinquent act (as described in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their repeal)); and

(D) timely filed an application for other types of financial

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assistance available to the student from the state or federal government.

(b) The requirement set forth in subsection (a)(3) that a scholarship applicant must complete the Core 40 curriculum or a curriculum equivalent to the Core 40 curriculum applies only to a scholarship applicant who seeks to use a scholarship at an institution of higher learning in a four-year degree program.

(c) A scholarship applicant who does not meet the requirement set forth in subsection (a)(3) that a scholarship applicant must complete the Core 40 curriculum or a curriculum equivalent to the Core 40 curriculum is eligible for a scholarship if the scholarship applicant has successfully completed at least twelve (12) credit hours of courses identified under IC 20-12-17.1.

(d) The requirement set forth in subsection (a)(3) that a scholarship applicant must complete the Core 40 curriculum or a curriculum equivalent to the Core 40 curriculum does not apply to a scholarship applicant who will be at least twenty-one (21) years of age during the semester for which the scholarship applicant seeks a scholarship.

SECTION 6. [EFFECTIVE JULY 1, 2005] (a) Notwithstanding IC 20-10.1-16-13, as amended by this act, before July 1, 2010, the following apply:

(1) To be eligible to graduate from high school, each student is required to meet:

(A) the academic standards tested in the graduation examination (as defined in IC 20-10.1-16-1.5); and

(B) any additional requirements established by the governing body (as defined in IC 20-10.1-1-5).

(2) A student who does not meet the academic standards tested in the graduation examination shall be given the opportunity to be tested during each semester of each grade following the grade in which the student is initially tested until the student achieves a passing score.

(3) A student who does not achieve a passing score on the graduation examination may be eligible to graduate if all the following occur:

(A) The principal of the school the student attends certifies that the student will within one (1) month of the student's scheduled graduation date successfully complete all components of the Core 40 curriculum as established by the Indiana state board of education under IC 20-10.1-5.7-1.

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(B) The student otherwise satisfies all state and local graduation requirements.

(4) A student who does not achieve a passing score on the graduation examination and who does not meet the requirements of subdivision (3) may be eligible to graduate if the student does all the following:

(A) Takes the graduation examination in each subject area in which the student did not achieve a passing score at least one (1) time every school year after the school year in which the student first takes the graduation examination.

(B) Completes remediation opportunities provided to the student by the student's school.

(C) Maintains a school attendance rate of at least ninety-five percent (95%) with excused absences not counting against the student's attendance.

(D) Maintains at least a "C" average or the equivalent in the courses comprising the credits specifically required for graduation by rule of the board.

(E) Obtains a written recommendation from a teacher of the student in each subject area in which the student has not achieved a passing score. The recommendation must:

(i) be concurred in by the principal of the student's school; and

(ii) be supported by documentation that the student has attained the academic standard in the subject area based upon tests other than the graduation examination or classroom work.

(F) Otherwise satisfies all state and local graduation requirements.

(5) This subdivision applies to a student who is a child with a disability (as defined in IC 20-1-6-1). If the student does not achieve a passing score on the graduation examination, the student's case conference committee may determine that the student is eligible to graduate if the case conference committee finds the following:

(A) The student's teacher of record, in consultation with a teacher of the student in each subject area in which the student has not achieved a passing score, makes a written recommendation to the case conference committee. The recommendation must:

(i) be concurred in by the principal of the student's school; and

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(ii) be supported by documentation that the student has attained the academic standard in the subject area based upon tests other than the graduation examination or classroom work.

(B) The student meets all the following requirements:

(i) Retakes the graduation examination in each subject area in which the student did not achieve a passing score as often as required by the student's individualized education program.

(ii) Completes remediation opportunities provided to the student by the student's school to the extent required by the student's individualized education program.

(iii) Maintains a school attendance rate of at least ninety-five percent (95%) to the extent required by the student's individualized education program with excused absences not counting against the student's attendance.

(iv) Maintains at least a "C" average or the equivalent in the courses comprising the credits specifically required for graduation by rule of the board.

(v) Otherwise satisfies all state and local graduation requirements.

(b) Notwithstanding IC 20-12-21-6, as amended by this act, until July 1, 2011, the following apply:

(1) An applicant is eligible for a first year higher education award under IC 20-12-21 if the applicant meets the following requirements:

(A) The applicant is a resident of Indiana, as defined by the state student assistance commission.

(B) The applicant:

(i) has successfully completed the program of instruction at an approved secondary school;

(ii) has been granted a high school equivalency certificate (before July 1, 1995) or a state of Indiana general educational development (GED) diploma under IC 20-10.1-12.1; or

(iii) is a student in good standing at an approved secondary school and is engaged in a program that in due course will be completed by the end of the current academic year.

(C) The financial resources reasonably available to the applicant, as defined by the state student assistance commission, are such that, in the absence of an award

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under IC 20-12-21, the applicant would be deterred from completing the applicant's education at an approved institution of higher learning that the applicant has selected and that has accepted the applicant. In determining the financial resources reasonably available to an applicant to whom IC 20-12-21-5.6 applies, the commission must consider the financial resources of the applicant's legal parent.

(D) The applicant will use the award initially at the institution of higher learning described in clause (C).

(E) If the student is already enrolled in an approved institution of higher learning, the applicant must be a full-time student and be making satisfactory progress, as determined by the state student assistance commission, toward a first baccalaureate degree.

(F) The student declares, in writing, a specific educational objective or course of study and enrolls in:

- (i) courses that apply toward the requirements for completion of that objective or course of study; or
- (ii) courses designed to help the student develop the basic skills that the student needs to successfully achieve that objective or continue in that course of study.

(2) A higher education award recipient is not eligible for assistance after the recipient has received an award for a total of eight (8) semesters or twelve (12) quarters of postsecondary school education.

(3) To maintain eligibility a student is not required to:

- (A) attend an institution of higher learning; or
- (B) receive an award;

in consecutive semesters or quarters. However, a recipient's eligibility for an award does not extend more than ten (10) years after the date that the initial award is granted.

(c) Notwithstanding IC 20-12-70-2, as amended by this act, until July 1, 2011, for purposes of IC 20-12-70, "eligible student" means a student who meets the following requirements:

- (1) Is a resident of Indiana.
- (2) Is enrolled in grade 8 at a public or an accredited nonpublic school.
- (3) Is eligible for free or reduced priced lunches under the national school lunch program.
- (4) Agrees in writing, together with the student's custodial parents or guardian, that the student will:

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(A) graduate from a secondary school located in Indiana that meets the admission criteria of an institution of higher learning;

(B) not illegally use controlled substances (as defined in IC 35-48-1-9);

(C) not commit a crime or infraction described in IC 9-30-5;

(D) not commit any other crime or delinquent act (as described in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their repeal));

(E) when the eligible student is a senior in high school, timely apply:

(i) to an institution of higher learning for admission; and

(ii) for any federal and state student financial assistance available to the eligible student to attend an institution of higher learning; and

(F) achieve a cumulative grade point average upon graduation of at least 2.0 on a 4.0 grading scale (or its equivalent if another grading scale is used) for courses taken during grades 9, 10, 11, and 12.

(d) Notwithstanding IC 20-12-70-6, as amended by this act, until July 1, 2011, for purposes of IC 20-12-70, "scholarship applicant" means a student who meets the following requirements:

(1) Was an eligible student under IC 20-12-70-2.

(2) Is a resident of Indiana.

(3) Has graduated from a secondary school located in Indiana that meets the admission criteria of an institution of higher learning.

(4) Has applied to attend and has been accepted to attend an institution of higher learning as a full-time student.

(5) Certifies in writing that the student has:

(A) not illegally used controlled substances (as defined in IC 35-48-1-9);

(B) not illegally consumed alcoholic beverages;

(C) not committed any other crime or a delinquent act (as described in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their repeal)); and

(D) timely filed an application for other types of financial assistance available to the student from the state or federal government.

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(e) This SECTION expires July 1, 2011."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 200 as introduced.)

LUBBERS, Chairperson

Committee Vote: Yeas 7, Nays 4.

SENATE MOTION

Madam President: I move that Senate Bill 200 be amended to read as follows:

Page 5, line 21, delete "section 5" and insert **"sections 5 and 6"**.

Page 5, line 29, delete "adopt a policy that" and insert **"establish"**.

Page 5, line 30, delete "sets forth".

Page 6, line 16, after "of" insert **"college level"**.

Page 6, line 16, after "courses" insert **"with at least a "C" average or the equivalent in each course."**

Page 6, delete line 17, begin a new paragraph and insert:

"Sec. 6. The requirement set forth in section 2(b) of this chapter that a student must complete the Core 40 curriculum or a curriculum equivalent to the Core 40 curriculum for regular admission does not apply to a student who will be at least twenty-one (21) years of age during the semester for which the student seeks admission."

Page 7, line 36, after "of" insert **"college level"**.

Page 7, line 36, delete "identified under" and insert **"with at least a "C" average or the equivalent in each course."**

Page 7, delete line 37.

Page 9, line 31, after "of" insert **"college level"**.

Page 9, line 31, delete "identified under IC 20-12-17.1." and insert **"with at least a "C" average or the equivalent in each course."**

(Reference is to SB 200 as printed February 25, 2005.)

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SENATE MOTION

Madam President: I move that Senate Bill 200 be amended to read as follows:

Page 6, line 5, after "minimum" insert "**regular**".

Page 6, line 5, after "requirements" insert "**and exceptions to the regular admissions requirements**".

Page 6, line 24, delete "and (f)," and insert "**(f), and (g),**".

Page 7, after line 42, begin a new paragraph and insert:

"(g) The requirement set forth in subsection (a)(2)(A) that an applicant must complete the Core 40 curriculum or a curriculum equivalent to the Core 40 curriculum does not apply to an applicant who has been accepted at an approved institution of higher learning as an exception to the institution's regular admissions requirements."

Page 8, line 42, delete "and (d)," and insert "**(d), and (e),**".

Page 9, between lines 37 and 38, begin a new paragraph and insert:

"(e) The requirement set forth in subsection (a)(3) that a scholarship applicant must complete the Core 40 curriculum or a curriculum equivalent to the Core 40 curriculum does not apply to a scholarship applicant who has been accepted at an institution of higher learning as an exception to the institution's regular admissions requirements."

(Reference is to SB 200 as printed February 25, 2005.)

LUBBERS

 SENATE MOTION

Madam President: I move that Senate Bill 200 be amended to read as follows:

Page 3, line 3, delete "minimum" and insert "general".

Page 4, line 10, delete "minimum" and insert "general".

Page 4, line 20, delete "minimum" and insert "general".

Page 4, line 31, delete "minimum" and insert "general".

Page 5, line 4, delete "minimum" and insert "general".

Page 5, line 27, delete "minimum" and insert "general".

Page 6, line 5, delete "minimum" and insert "general".

(Reference is to SB 200 as printed February 25, 2005.)

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COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure reports that, pursuant to Senate Rule 33(c), the following technical corrections are to be made to Senate Bill 200.

Page 3, line 4, delete "minimum" and insert "**general**".

(Reference is to SB 200 as printed February 25, 2005.)

GARTON

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 200, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, line 11, after "graduate." insert "**Except as provided in subsection (j), the student's parent and the student's counselor (or another staff member who assists students in course selection) shall meet to discuss the student's progress. Following the meeting, the student's parent shall determine whether the student will achieve greater educational benefits by:**

- (1) continuing the general curriculum; or**
- (2) completing the Core 40 curriculum."**

Page 5, line 22, delete "that".

Page 5, line 24, delete "IC 20-10.1-5.7;" and insert "**IC 20-30-10;**".

Page 5, line 41, delete "IC 20-10.1-5.7;" and insert "**IC 20-30-10;**".

Page 6, line 10, delete "IC 20-10.1-5.7;" and insert "**IC 20-30-10;**".

Page 6, delete lines 25 through 42.

Delete pages 7 through 9.

Page 10, delete lines 1 through 15, begin a new paragraph and insert:

"SECTION 6. IC 20-32-4-1, AS ADDED BY HEA 1288-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. **(a) Except as provided in subsection (b), a student must meet:**

- (1) the academic standards tested in the graduation examination;**
- and**
- (2) any additional requirements established by the governing body of the student's school corporation;**

to be eligible to graduate.

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(b) Except as provided in sections 4, 5, 6, 7, 8, 9, and 10 of this chapter, beginning with the class of students who expect to graduate during the 2010-2011 school year, each student is required to meet:

- (1) the academic standards tested in the graduation examination;
- (2) the Core 40 course and credit requirements adopted by the state board under IC 20-30-10; and
- (3) any additional requirements established by the governing body;

to be eligible to graduate.

SECTION 7. IC 20-32-4-4, AS ADDED BY HEA 1288-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. A student who does not achieve a passing score on the graduation examination and who does not meet the requirements of section 3-1 of this chapter may be eligible to graduate if the student does all the following:

- (1) Takes the graduation examination in each subject area in which the student did not achieve a passing score at least one (1) time every school year after the school year in which the student first takes the graduation examination.
- (2) Completes remediation opportunities provided to the student by the student's school.
- (3) Maintains a school attendance rate of at least ninety-five percent (95%) with excused absences not counting against the student's attendance.
- (4) Maintains at least a "C" average or the equivalent in the courses comprising the credits specifically required for graduation by rule of the state board.
- (5) Obtains a written recommendation from a teacher of the student in each subject area in which the student has not achieved a passing score. The recommendation must:
 - (A) be concurred in by the principal of the student's school; and
 - (B) be supported by documentation that the student has attained the academic standard in the subject area based on:
 - (i) tests other than the graduation examination; or
 - (ii) classroom work.
- (6) (5) Otherwise satisfies all state and local graduation requirements.
- (6) Either:
 - (A) completes:

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- (i) the course and credit requirements for a general diploma, including the career academic sequence;
 - (ii) a workforce readiness assessment; and
 - (iii) at least one (1) career exploration internship, cooperative education, or workforce credential recommended by the student's school; or
- (B) obtains a written recommendation from a teacher of the student in each subject area in which the student has not achieved a passing score on the graduation examination. The written recommendation must be concurred in by the principal of the student's school and be supported by documentation that the student has attained the academic standard in the subject area based on:
- (i) tests other than the graduation examination; or
 - (ii) classroom work.

SECTION 8. IC 20-32-4-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 6. A decision with regard to whether a student who is a child with a disability (as defined in IC 20-35-1-2) is subject to the requirements of section 1(b)(2) of this chapter shall be made in accordance with the student's individualized education program and federal law.**

SECTION 9. IC 20-32-4-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 7. Upon the request of a student's parent, the student may be exempted from the Core 40 curriculum requirement set forth in section 1 of this chapter and be required to complete the general curriculum to be eligible to graduate. Except as provided in section 10 of this chapter, the student's parent and the student's counselor (or another staff member who assists students in course selection) shall meet to discuss the student's progress. Following the meeting, the student's parent shall determine whether the student will achieve greater educational benefits by:**

- (1) continuing the general curriculum; or
- (2) completing the Core 40 curriculum.

SECTION 10. IC 20-32-4-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 8. This section applies to a student who does not pass at least three (3) courses required under the Core 40 curriculum. Except as provided in section 10 of this chapter, the student's parent and the student's counselor (or another staff member who assists students in course selection) shall meet to discuss the**

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student's progress. Following the meeting, the student's parent shall determine whether the student will achieve greater educational benefits by:

- (1) continuing in the Core 40 curriculum; or
- (2) completing the general curriculum.

SECTION 11. IC 20-32-4-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 9. This section applies to a student who receives a score on the graduation examination that is in the tenth percentile or lower when the student takes the graduation examination for the first time. Except as provided in section 10 of this chapter, the student's parent and the student's counselor (or another staff member who assists students in course selection) shall meet to discuss the student's progress. Following the meeting, the student's parent shall determine whether the student will achieve greater educational benefits by:**

- (1) continuing in the Core 40 curriculum; or
- (2) completing the general curriculum.

SECTION 12. IC 20-32-4-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 10. This section applies if the parent of a student to whom section 8 or 9 of this chapter applies does not attend a meeting with the student and the student's counselor after receiving two (2) written requests to attend a meeting. If the student's parent does not attend a meeting described in section 8 or 9 of this chapter, the student and the student's counselor shall meet and:**

- (1) the student's counselor shall make a recommendation to the student as to whether the student will achieve greater educational benefits by:

- (A) continuing in the Core 40 curriculum; or
 - (B) completing the general curriculum; and
- (2) the student shall determine which curriculum the student will complete.

SECTION 13. IC 20-32-4-3 IS REPEALED [EFFECTIVE JULY 1, 2005]."

Page 10, line 16, delete "(a)".

Page 10, line 17, delete "IC 20-10.1-16-13," and insert "IC 20-32-4-1,".

Page 10, line 22, delete "IC 20-10.1-16-1.5);" and insert "IC 20-18-2-6);"."

Page 10, line 24, delete "IC 20-10.1-1-5)." and insert

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"**IC 20-18-2-5**).".

Page 10, line 38, delete "IC 20-10.1-5.7-1." and insert "**IC 20-30-10**".

Page 11, line 27, delete "IC 20-1-6-1)." and insert "**IC 20-35-1-2**).".

Page 12, delete lines 18 through 42.

Delete pages 13 through 14.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 200 as reprinted March 1, 2005.)

BEHNING, Chair

Committee Vote: yeas 11, nays 0.

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 200 be amended to read as follows:

Page 4, line 29, delete "tenth" and insert "**twenty-fifth**".

(Reference is to ESB 200 as printed March 25, 2005.)

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